



# ■ WeBER Indicator Summary

AREA: PUBLIC SERVICE AND HUMAN RESOURCE  
MANAGEMENT

## SERBIA

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<b>PAR Area</b>	<b>PUBLIC SERVICE AND HUMAN RESOURCE MANAGEMENT</b>	<b>Country</b>	<b>SERBIA</b>
<b>SIGMA Principle</b>	<b>4: Direct or indirect political influence on senior managerial positions in the public service is prevented</b>		

<b>WeBER Indicator</b>	<b>3PSHRM_P4_I1: Effective protection of senior civil servants' positions from unwanted political interference</b>
<b>Indicator approach</b>	
<p>The indicator measures the extent to which both formal and informal practices protect senior civil servants from political influence and prevent them from exercising their duties in a politically impartial manner.</p> <p>WeBER combines results of SIGMA's measurement for specific elements covered thoroughly in their methodology with in-house expert analysis of legislation, documents and websites, civil servants' and CSOs' perceptions obtained through surveys implemented in all six participating countries, to create a more balanced approach to the sensitive and controversial issue of the demarcation between professional and political posts in public administration.</p>	
<b>Summary of the findings</b>	
<p>The legal framework regulating recruitment of senior civil servants prescribes competitive, merit-based procedures, but it is not efficiently applied in practice. According to the Law on Civil Servants, Art. 67a, an acting manager can be selected without any competition process for a maximum duration of six months, which can be extended to additional 3 months "if the competition does not end with the appointment of a senior civil servant." However, in practice there are no consequences after the legal deadline expires, and the law does not explicitly stipulate whether the acting manager needs to be appointed from within the civil service. In the measurement period 1.6.2017-31.5.2018, the Government made a total of 691 decisions on appointing senior managers, out of which 94% of decisions related to the appointment of acting positions (without the previous competition). In numerous cases, same names and positions reappear once, two or even three times in a single year, showing that the same persons can be kept with the acting status for a period longer than legally prescribed. The recruitment process is further politicised by the role of the Government HR Committee, whose work falls outside of the scope of the civil service legislation.</p> <p>Around a half of surveyed civil servants believe that often or (almost) always senior civil servants are appointed thanks to political support (55%), and that senior civil service positions are subject to political agreements among the ruling parties (48%). Moreover, civil servants mostly disagree that formal procedures for appointing senior civil servants ensure the best candidates get the jobs (40% disagree compared to 23% who agree). Civil society disagrees even more, as a vast majority of surveyed CSOs (82%) also think this is not the case. Similar number of CSOs (81%) think that senior civil servants are rather political favourites.</p> <p>The Law on Civil Servants provides the ground for dismissal of a senior manager if "a serious disturbance has occurred during his/her mandate" (Art. 78), but fails to define the term "serious disturbance", which SIGMA considers as potential for political influence. In practice, around 21% of surveyed civil servants confirmed that sometimes or (almost) always senior civil servants get dismissed for political motives in their institutions. Additionally, only 13% of surveyed civil servants stated that formal rules and criteria for dismissing senior civil servants are (almost) always properly applied in practice. Interestingly, nearly half of surveyed civil servants chose not to give answer to these two questions.</p> <p>Attitudes of civils servants were most split when asked to reflect on whether senior civil servants would implement illegal orders from political superiors: while 23% of them agree, slightly more disagree - 29%. Around a third of surveyed civil servants refused to answer these questions.</p>	

*Finally, a third of surveyed civil servants (33%) believe that sometimes, often, or (almost) always, senior civil servants participate in electoral campaigns of political parties during elections.*

#### Specific observations

*Survey of civil servants and CSOs were administered through anonymous, online questionnaire. The data collection method included CASI (computer-assisted self-interviewing). For the survey of civil servants, the sample included N=1193 respondents, while n=1002 responded the questions from this indicator. The sample for the CSO survey was N=183, the base for questions in this indicator was n=154.*

<b>Indicator score</b>	6 (out of 40 points)
<b>Final indicator value</b>	0 (scale 0-5) <sup>1</sup>
<b>Measurement period</b>	Survey of Civil Servants: March 26 <sup>th</sup> – April 30 <sup>th</sup> , 2018 Survey of CSOs: April 23rd – June 4th 2018 Research: July 2018

<sup>1</sup> Conversion of points: 0-7 points = 0; 8-14 points = 1; 15-21 points = 2; 22-28 points = 3; 29-34 points = 4; 35-40 points = 5